

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

YIM, *et al.*,

Plaintiffs,

vs.

CITY OF SEATTLE,

Defendant.

No. 2:18-cv-736-JCC

CITY OF SEATTLE’S OPPOSITION TO
MOTION OF GRE DOWNTOWNER LLC
FOR LEAVE TO FILE A BRIEF AS
AMICUS CURIAE

NOTED ON MOTION CALENDAR:
Friday, May 22, 2020

Defendant City of Seattle asks this Court to deny GRE Downtowner LLC’s motion for leave to file an *amicus curiae* brief. Dkt. # 71. The motion violates this Court’s order that all interested parties were to file any *amicus curiae* brief no later than November 23, 2018. Dkt. # 25. GRE’s proposed brief does not complement the parties’ supplemental briefing, which is limited to the Washington Supreme Court’s ruling on questions certified by this Court. *See* Dkt. #s 64–65 (motion and order granting supplemental briefing). GRE’s proposed brief offers no legal authority—it relies on authority in Plaintiffs’ briefing and the brief of another *amicus curiae*. Dkt. # 73-1 at p. 8. GRE instead—without evidence—asserts the problems at its facility are caused by the City’s Fair Chance Housing Ordinance, *id.* at pp. 1 – 7, and professes confusion over the meaning of “federally assisted housing” without acknowledging the definitions provided in 42 U.S.C. § 13664(a)(2) or 24 C.F.R. § 5.100. *Id.* at pp. 7 – 8.

1 Because GRE's untimely brief would not assist this Court in resolving the issues before
2 it, the City respectfully asks this Court to deny GRE's motion.

3 Respectfully submitted May 18, 2020.

4 PETER S. HOLMES
Seattle City Attorney

SUMMIT LAW GROUP PLLC

5 By: *s/Roger D. Wynne*
6 *s/Sara O'Connor-Kriss*
Roger D. Wynne, WSBA #23399
7 (206) 233-2177
Roger.Wynne@seattle.gov
8 Sara O'Connor-Kriss, WSBA #41569
(206) 615-0788
Sara.OConnor-Kriss@seattle.gov
9 Seattle City Attorney's Office
10 701 5th Avenue, Suite 2050
Seattle, WA 98104
11 *Attorneys for Defendant City of Seattle*

By: *s/Jessica L. Goldman*
Jessica L. Goldman, WSBA #21856
Summit Law Group PLLC
315 5th Ave. South, Suite 1000
Seattle, WA 98104
(206) 676-7062
jessicag@summitlaw.com
Attorneys for Defendant City of Seattle

CERTIFICATE OF SERVICE

I certify that on this day I electronically filed this document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to:

Brian T. Hodges
Ethan W. Blevins
Pacific Legal Foundation
255 South King Street, Ste. 800
Seattle, WA 98104
425-576-0484

bth@pacificlegal.org
eblevins@pacificlegal.org

Attorneys for Plaintiffs

Kimberlee L. Gunning
Nicholas Brian Allen
Columbia Legal Services
101 Yesler Way, Ste. 300
Seattle, WA 98104-2552
206-464-0838

Kim.Gunning@columbialegal.org
nick.allen@columbialegal.org

*Attorneys for Amici Curiae Pioneer Human
Services and Tenants Union of Washington*

Eric Dunn
National Housing Law Project
919 E. Main Street, Ste. 610
Richmond, VA 23219
415-546-7000 ext. 3102

edunn@nhlp.org

*Attorney for Amici Curiae National Housing
Law Project and Sargent Shriver National
Center on Poverty Law*

Jill D. Bowman
Stoel Rives LLP
600 University St., Suite 3600
Seattle, WA 98101
206.624.0900

jill.bowman@stoel.com

Attorney for GRE Downtowner LLC

Melissa R. Lee
Robert S. Chang
Ronald A. Peterson Law Clinic
1112 E. Columbia St.
Seattle, WA 98122
206-398-4394

leeme@seattleu.edu
changro@seattleu.edu

*Attorneys for Amici Curiae Fred T. Korematsu
Center for Law and Equality and ACLU-WA*

Michael J. Saltz
Jacobsen, Russell, Saltz, Nassim & De La Torre,
LLP
1880 Century Park East, Suite 900
Los Angeles, CA 90067
msaltz@jrsnd.com
310-446-9900

and Jeffrey E. Bilanko
Carroll, Biddle, & Bilanko, PLLC
801 2nd Avenue, Suite 800
Seattle, WA 98104
206-489-5549
jbilanko@cbblegal.com
Attorneys for Amicus Curiae NCRA

Douglas E. Smith
Littler Mendelson, P.C.
600 University Street, Suite 3200
Seattle, WA 98101-3122
206-623-3300

desmith@littler.com

Attorneys for Amici Curiae CDIA/NAPBS

DATED May 18, 2020.

s/ Alicia Reise

Alicia Reise